

MINUTES
JAMES CITY COUNTY CHESAPEAKE BAY BOARD
REGULAR MEETING
County Government Center, Building F
November 9, 2022
5:00 PM

A. CALL TO ORDER

The Chesapeake Bay Board meeting for November 9, 2022, was called to order.

The responsibility of this Board is to carry out locally the Commonwealth policy to protect against and minimize pollution and deposition of sediment in wetlands, streams, and lakes in James City County, which are tributaries of the Chesapeake Bay.

B. ROLL CALL

Board Members Present:

Halle Dunn, Chairman
Michael O'Brien
Scott Maye
Jason Knight, Alternate

Board Members Absent:

Charles Roadley, Vice Chair
Robert Lukens
Larry Waltrip

Other Staff Present:

Toni Small, Director, Stormwater and Resource Protection
Michael Woolson, Resource Protection Section Chief, Stormwater and Resource Protection
Robin Benedict, Watershed Planner, Stormwater and Resource Protection
Trevor Long, Watershed Planner, Stormwater and Resource Protection
Joshua Everard, Assistant County Attorney, County Attorney's Office

C. MINUTES

None.

D. PUBLIC HEARINGS

1. CBPA-22-0135 : 103 Cove Road

A motion to Approve w/ Conditions was made by Jason Knight, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3

Ayes: Dunn, O'Brien, Maye, Knight

Absent: Roadley, Waltrip, Lukens

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Timothy Jones, Two Rivers Built, on behalf of Mr. Christopher Tucker, for encroachments into the Resource Protection Area (RPA) buffer for the construction of a deck. The property is further identified as James City County Tax Map Parcel No. 4910240005. The presentation described the current and proposed site conditions. If the Board approved the request, staff

asked that the suggested conditions be incorporated into the approval.

Staff confirmed details of the plan for the Board including the stability and location of the slope behind the house.

Mr. Dunn opened the Public Hearing.

Mr. Dunn closed the Public Hearing as no one wished to speak.

The Board deliberated the negligible impact of the plan.

2. CBPA-22-0141 : 821 Arlington Island Road

A motion to Approve w/ Conditions was made by Halle Dunn, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3

Ayes: Dunn, O'Brien, Maye, Knight

Absent: Roadley, Waltrip, Lukens

Mr. Trevor Long, Watershed Planner, presented the exception request submitted by Mr. Michael Hipple, for encroachments into the RPA buffer for the construction of a detached accessory structure. The property is further identified as James City County Tax Map Parcel No. 940100003. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Staff clarified details of the plan for the Board, including current site conditions.

Mr. Dunn opened the Public Hearing.

A. Mr. Michael Hipple, 821 Arlington Island Road, offered further details of the plan including historic and current site conditions, intended plantings, cause for the location of the proposed garage, and long-term lot plans. In response to the Board's inquiry, Mr. Hipple also confirmed how runoff from the garage will be mitigated and the intended use of the garage.

Mr. Dunn closed the Public Hearing.

The Board deliberate the pros and cons of the proposed locations of the garage.

3. CBPA-22-0086 : 9208 Candle Light Court

A motion to Approve w/ Conditions was made by Jason Knight, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3

Ayes: Dunn, O'Brien, Maye, Knight

Absent: Roadley, Waltrip, Lukens

Ms. Robin Benedict, Watershed Planner, presented the exception request submitted by Mr. Nathaniel Wiley, Blue Ridge Custom Homes, LLC, on behalf of Mr. Stephen Garrow, for encroachments into the RPA buffer for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 0330300051. The presentation described the current and proposed site conditions. If the Board approved the request, staff asked that the suggested conditions be incorporated into the approval.

Staff clarified details of the plan for the Board including the location of the house, the type of

wetlands near the site, and the impact of an alternative house location compared to the proposed location.

Mr. Dunn opened the Public Hearing.

A. Ms. Emily Salkind, Balzer & Associates Inc., 15871 City View Drive, Suite 200, Midlothian, Virginia offered further details of the plan including the size of the proposed house as it relates to others in the surrounding area and the cause for deciding to construct the house at its proposed location. Ms. Salkind also responded to inquiries from the Board about runoff from the house and the type and condition of the nearby wetlands.

Mr. Dunn closed the Public Hearing.

The Board deliberated pros and cons of the plan.

4. CBPA-22-0135 : 134 Swinley Forest

A motion to Defer was made by Michael O'Brien, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 3

Ayes: Dunn, O'Brien, Maye, Knight

Absent: Roadley, Waltrip, Lukens

Mr. Trevor Long, Watershed Planner, presented the request for deferral of the exception request submitted by Mr. Matthew Roth, Roth Environmental, LLC, on behalf of Mr. Alan Hochberg, citing the need for further revision of the site plan. The exception request is for encroachments into the RPA buffer for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 3130400072. Mr. Long also recommended that the Public Hearing should be opened and remain so as a matter of procedure.

Mr. Dunn opened the Public Hearing.

5. CBPA-22-0139 : 2800 Durfey's Mill Road

A motion to Defer was made by Scott Maye, the motion result was Passed.

AYES: 3 NAYS: 0 ABSTAIN: 1 ABSENT: 3

Ayes: Dunn, O'Brien, Maye

Abstain: Knight

Absent: Roadley, Waltrip, Lukens

Ms. Robin Benedict, Watershed Planner, presented the request for deferral of the exception request submitted by Mr. Ryan Stephenson, AES Consulting Engineers, on behalf of Boyd Corporation, citing the need for finalization of the site plan. The exception request is for encroachments into the RPA buffer for the construction of a single-family dwelling. The property is further identified as James City County Tax Map Parcel No. 4741000008. Ms. Benedict also recommended that the Public Hearing should be opened and remain so as a matter of procedure.

Mr. Dunn opened the Public Hearing.

E. BOARD CONSIDERATIONS

1. Election of Officers for 2023

Mr. Dunn indicated deferral of the election of officers until the December meeting.

2. 2023 Calendar

A motion to approve the 2023 calendar was made by Mr. Dunn.

The calendar was approved on a voice vote.

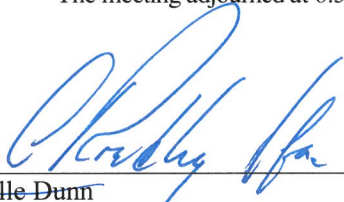
F. MATTERS OF SPECIAL PRIVILEGE

None.

G. ADJOURNMENT

A motion to Adjourn was made by Mr. Maye and approved on a voice vote.

The meeting adjourned at 6:51 p.m.



Halle Dunn
Chair, Chesapeake Bay Board
Charles Readley



Trevor Long
Secretary to the Board